

## DECLARATION & POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

### "GENERAL PURPOSE DATA CONTAINER METHOD AND APPARATUS FOR IMPLEMENTING AV/C DESCRIPTORS"

The specification of this subject matter:

is attached hereto.

was filed on October 28, 1999;

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
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Number	Country	Month/Day/Year Filed	Yes	No
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Number	Country	Month/Day/Year Filed	Yes	No
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Number	Country	Month/Day/Year Filed	Yes	No
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

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Application Number

Filing Date

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Application Number

Filing Date

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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Application No.	Filing Date	Status (Issued, Pending, Abandoned)
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I hereby appoint Kenneth D'Alessandro, Registration No. 29,144; Timothy Brisson, Registration No.: 44,046; Michael Brandt, Registration No.: 39,119; Robert Hall, Registration No.: 39,209, Jonathan Velasco, Registration No.: 42,200, Michael Kerr, Registration No.: 42,722 and Victor Gallo, Registration No.: 41,768, as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, a copy of which is attached, from the inventor(s) of the patent application identified above.

Please send all correspondence and direct all telephone calls to:

Victor J. Gallo  
Sierra Patent Group, Ltd.  
P.O. Box 6149  
Stateline, NV 89449  
Telephone (775) 586-9500

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

FULL NAME OF INVENTOR 1	FIRST Name <u>Erik</u>	MIDDLE Initial(s) <u>P.</u>	LAST Name <u>Staats</u>
RESIDENCE AND City CITIZENSHIP	State or Foreign Country <u>Ben Lomond</u>		
POST OFFICE ADDRESS	Number and Street <u>429 Bahr Drive</u>	City <u>California</u>	State or Country <u>United States</u> Zip Code <u>95005</u>

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

---

Signature of Erik P. Staats

Date

 11/2/99



JANUARY 15, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

SIERRA PATENT GROUP, LTD.  
STEPHANIE DAVIS  
P.O. BOX 6149  
STATELINE, NV 89449



\*102246692A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
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CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/07/2002

REEL/FRAME: 013358/0216

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

ZAYANTE, INC.

DOC DATE: 04/02/2002

ASSIGNEE:

APPLE COMPUTER, INC.  
1 INFINITE LOOP  
CUPERTINO, CALIFORNIA 95014

SERIAL NUMBER: 09429233

FILING DATE: 10/28/1999

PATENT NUMBER:

ISSUE DATE:

JEFFREY OLSEN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

10-10-2002

10/10/02



FORM PTO-1595  
U.S. Department of Commerce

Patent and Trademark Office

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**FINANCIAL SECTION**  
**RECORDATION FORM COVER SHEET**  
**PATENTS ONLY**

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof

1. Names of conveying party  
Zayante, Inc.

2. Name and address of receiving party

Name: Apple Computer, Inc.

Additional names (s) of conveying party(ies) attached ( ) yes (X) no Internal Address:

3. Nature of conveyance:

- (X) Assignment ( ) Merger  
( ) Security Agreement ( ) Change of Name  
( ) Other \_\_\_\_\_

Execution Date: April 2, 2002

Street Address: 1 Infinite Loop

City: Cupertino State: CA Zip: 95014

Additional names (s) & address(es) attached? ( ) Yes ( ) No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of application is \_\_\_\_\_

A. Patent Application No.(s)  
09/429,233

B. Patent No.(s)

|  
|  
|

Additional numbers attached? ( ) Yes ( ) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sierra Patent Group, Ltd.

Internal Address:

Address: P.O. Box 6149

City: Stateline State: NV Zip: 89449

6. Total number of applications and patents involved: 1

7. Total fee (37CFR 3.41).....\$40.00

(X) Enclosed

( ) Authorized to be charged to deposit account

8. Deposit account Number: 50-0612

(Attached duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephanie Davis  
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents 3

Mail documents to be recorded with required cover sheet information to:  
Assistant Commissioner for Patents, Box Assignment, Washington, D.C. 20231

10/10/2002 TDI A21 00000012 09429233

40.00 OP

01 FC:581

PATENT ASSIGNMENT

WHEREAS, Zayante, Inc., a California corporation with an office located at 269 Mount Hermon Road, Suite 200, Scotts Valley, California 95066, (the, "Assignor") owns the patents, patent applications and inventions listed and described on Schedule A attached hereto (the "Patents"); and

WHEREAS, Assignor and Apple Computer, Inc., a California corporation ("Assignee") have entered into an Asset Purchase Agreement dated March 1, 2002 (the "Asset Agreement"), pursuant to which Assignor has agreed, *inter alia*, to grant to Assignee all of Assignor's right title and interest in and to the Patents and Assignee desires to acquire the entire right, title and interest in and to the Patents.

NOW, THEREFORE, in consideration of the Purchase Price (as defined in the Asset Agreement), and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby irrevocably sell, assign, convey and transfer unto Assignee, its successors and assigns, the entire right, title and interest in and to the Patents, anywhere in the world, including any patents issuing from or based upon all patent applications thereon, or any continuations, continuations-in-part, divisions, reissues or extensions of the Patents, and including any foreign counterparts of the Patents, and including, without limitation, the right to sue for and recover damages for any past, present or future infringement of such Patents, the same to be held and enjoyed by Assignee for its own use, and for its legal representatives and assigns, to the full end of the term for which patents are granted, as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made.

Assignor agrees to execute any further papers and to do such other acts as may be necessary and proper, or otherwise required by the Asset Agreement, to vest full title in and to the Patents in Assignee.

IN WITNESS WHEREOF, Assignor has caused these presents to be duly executed in a manner appropriate thereto as of the 2<sup>nd</sup> day of April 2002.

ZAYANTE, INC.

By: [Signature]  
Name: PRAKHANT KANHERE  
Title: PRESIDENT & CEO

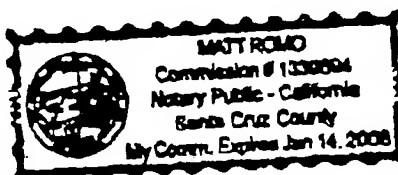
ACKNOWLEDGMENT

State of California )  
 ) ss:  
County of Santa Cruz)

On this 2<sup>nd</sup> day of April 2002, before me, the undersigned, personally appeared PraKhant Kanhere,  personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Matt Romo (Seal)  
Notary Public





UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER

OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APRIL 14, 2000

PTAS

SIERRA PATENT GROUP, LTD.  
LINDA BARRON  
P.O. BOX 6149  
STATELINE, NV 89449



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/10/2000

REEL/FRAME: 010528/0911

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STAATS, ERIK P.

DOC DATE: 11/02/1999

ASSIGNEE:

ZAYANTE, INC.  
269 MOUNT HERMAN ROAD  
SUITE 200  
SCOTTS VALLEY, CALIFORNIA 95066

SERIAL NUMBER: 09429233

FILING DATE: 10/26/1999

PATENT NUMBER:

ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

02-09-2000

MWD  
1-10-00RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

101262682

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Erik P. Staats

2. Name and address of receiving party(ies)

Name: Zayante, Inc.

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

 Assignment Merger

Street Address: 269 Mount Herman Road

 Security Agreement Change of Name

Suite 200

 Other \_\_\_\_\_

City: Scotts Valley State: CA ZIP: 95066

Execution Date: November 2, 1999

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is \_\_\_\_\_

A. Patent Application No.(s)

09/429,233

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sierra Patent Group, Ltd

7. Total fee (37 CFR 3.41). \$ 40.00

Internal Address: \_\_\_\_\_

(X) Enclosed

 Authorized to be charged to deposit account

8. Deposit Account number:

Street Address: P.O. Box 6149

50-0612

City: Stateline State: NV ZIP: 89449

(Attach duplicate copy of this page if paying by deposit account)

02/09/2000 DNGUYEN 00000070 09429233

01 FO-581

40.00 0P

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Linda Barron

Signature

1-4-00

Date

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents, Box Assignment, Washington, DC 20231

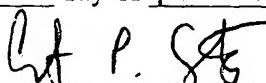
**ASSIGNMENT**

WHEREAS, I, Erik P. Staats, a citizen of the United States, residing at 429 Bahr Drive, Ben Lomond, California 95005, have invented a "**GENERAL PURPOSE DATA CONTAINER METHOD AND APPARATUS FOR IMPLEMENTING AV/C DESCRIPTORS**" for which I have executed application papers for a U.S. patent thereon which was filed on October 28, 1999; and

WHEREAS, Zayante, Inc., a California corporation, having a place of business 269 Mount Hermon Road, Suite 200, Scotts Valley, California, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefore in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, I, Erik P. Staats, do sell, assign, transfer and set over unto the said "**GENERAL PURPOSE DATA CONTAINER METHOD AND APPARATUS FOR IMPLEMENTING AV/C DESCRIPTORS**", its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Zayante, Inc., its successors and assigns, in accordance with this Assignment.

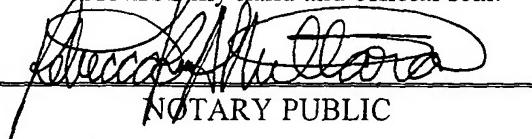
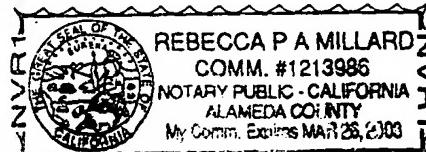
WITNESS MY HAND at Scotts Valley, California, this  
2nd day of November, 1999.



Erik P. Staats  
 STATE OF CALIFORNIA )  
 )  
 ) ss.  
 COUNTY OF Santa Cruz )

On this 2nd day of November, 1999, before me, a Notary Public, personally appeared Erik P. Staats, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacities, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
 NOTARY PUBLIC


SCHEDULE A

Patents, Patent Applications and Inventions

Descriptive Invention Title	Invention Date	US Filing Date	Inventor(s)	Textual Status	Docket Number	Serial Number
Method for optimizing acknowledge packet rate	6/1/97	7/21/98	Bill Duckwall	Allowed	ZAY-001	09/121,616
Pipelined arbitration for a bus using dual phases	Q3 '98 ?	11/5/99	Mike Teener	Filed	ZAY-99-012	09/435,134
P1394a Loop Breaking	3/12/99 - 3/16/99	7/9/99	Jerry Hauck Colin Whitby-Strevens	Filed	ZAY-002	09/350,583
P1394b Loop Breaking	4/27/99	11/5/99	Jerry Hauck Colin Whitby-Strevens	Filed	ZAY-99-018	
P1394b Automatic Cross-over of TPA/TPB	4/16/99	4/21/00	Colin Whitby-Strevens	Filed	ZAY-00-019	09/557,073
Dynamic CSR ROM	6/23/98	11/1/99	Steve Brown	Filed	ZAY-99-027	09/431,409
Link Driver Architecture - Link Configuration	3/2/98	11/1/99	Steve Brown	Filed	ZAY-99-029	09/431,703
Device communication path construction	10/1/97	11/2/99	Erik Staats	Filed	ZAY-99-034	09/432,915
Distributed device control over multiple transports	8/1/97	11/1/99	Erik Staats	Filed	ZAY-99-037	09/431,704
Bridging of distributed device control through multiple transports	8/1/97	11/2/99	Erik Staats	Filed	ZAY-99-038	09/432,997
AV/C over multiple transports	1/1/99	2/16/00	Erik Staats	Filed	ZAY-99-039	
Allocation of IDs for AV/C entities	8/1/98	11/2/99	Erik Staats	Filed	ZAY-99-041	09/432,872

Descriptive Invention Title	Invention Date	US Filing Date	Inventor(s)	Textual Status	Docket Number	Serial Number
Generic container mechanism for implementing A/V/C descriptors	10/1/98	10/28/99	Erik Staats	Filed	ZAY-99-044	09/429,233
Jitter Test Patterns	4/20/99	4/21/00	Colin Whitby-Stevens	Filed		
Detection of a P1394b Hybrid Bus	6/11/99	1/18/00	Colin Whitby-Stevens Jerry Hauck	Filed	ZAY-99-054	
Dual phase arbitration without timers	3/10/99	3/31/00	Mike Teener David Wooten	Filed	1662-16900	
Protecting D/S Clouds from Beta Packets	8/18/99	2/17/00	Jerry Hauck	Filed	ZAY-99-062	
Link Driver Architecture - Node presentation	8/1/97	11/2/99	Steve Brown	Filed	ZAY-99-065	09/432,869
Accelerated Speed Signal Detection	4/29/99	11/16/99	Bill Duckwall	Filed	ZAY-99-067	
P1394b Loop Breaking Refined	6/14/00		David Wooten Jerry Hauck Colin Whitby-Stevens			
Fly-by and ack-accelerated arbitration for broadcasts	7/13/99		Jerry Hauck Prashant Kanhere Bill Duckwall			
Automatic Avoidance of >62 Node Topologies	3/26/99		Colin Whitby-Stevens			
Optimized P1394a Gap Calculations when Pinging	3/10/99		Jerry Hauck			

Descriptive Invention Title	Invention Date	US Filing Date	Inventor(s)	Textual Status	Docket Number	Serial Number
Methods for interoperability with legacy S100 PHYs	10/20/98		Bill Duckwall			
Dynamic compensation for Link's GRANT to Data Delay	7/5/99		Bill Duckwall			
PHY cable event			Steve Brown			
Generational resource locking mechanism			Erik Staats			
Streaming data flow control with error recovery			Erik Staats			
Hierarchical references to A/V/C entities			Erik Staats			
Optimizing of Disparity Control Phases	6/17/99		Jerry Hauck Colin Whitby-Stevens			
P1394b Legacy Request	5/16/99		Jerry Hauck			
PHY ID 62 reserved for root	7/30/99		Colin Whitby-Stevens			
Selection and Identification of Preferred Border	7/14/99		Colin Whitby-Stevens Jerry Hauck			
P1394b Scalable Bus Busy Indicator	6/17/99		Jerry Hauck Colin Whitby-Stevens			
Restoring Local Root as BOSS	5/21/99		Jerry Hauck			
BOSS vs OK to grant	5/19/99		Jerry Hauck			
Freeing Beta-Only Nodes of Gap Timers	5/13/99		Jerry Hauck			

Descriptive Invention Title	Invention Date	US Filing Date	Inventor(s)	Textual Status	Docket Number	Serial Number
Improved Jitter Test Patterns	9/8/99		Colin Whitby-Stevens			